



Tony Evers, Governor
Dawn Crim, Secretary

June 30, 2022

Debbie Mercier, Clerk
Town of Green Bay, Brown County
5659 Delcore Road
New Franken, WI 54229
mercierdebbie@ymail.com

VIA EMAIL

Re: Town of Green Bay, Brown County Jurisdiction Request for Plan Review of Small Commercial Buildings and Inspections of All Commercial Buildings

Dear Debbie Mercier,

I am pleased to inform you that your municipality has been delegated commercial building code enforcement authority per your request. Per Wis. Stat. § 101.12(3)(b), I delegate your municipality the primary responsibility to do structural and HVAC plan review of small commercial building projects (new buildings and their additions totaling not more than 50,000 cubic feet and alterations affecting not more than 100,000 cubic feet) to be constructed within the limits of your municipality. Building plans for such buildings may be submitted by the owner to your municipality or our agency.

Per Wis. Stat. § 101.12(3)(g), I also delegate your municipality the primary responsibility to do structural, HVAC, fire suppression, and fire alarm inspections of all sized commercial buildings in lieu of the Department.

An exception to this delegation is that our agency retains jurisdiction of all state-owned buildings, as well as projects for which the owner chooses to submit plans to our agency.

As a condition of the delegation, you are required to comply with the following:

- Provide the Department with a copy of any revisions to the ordinance adopting this code.
- Apply the corresponding requirements in Wis. Admin. Code §§ SPS 361.60 (5)(d)-(h), and (6).
- Notify the department, in writing, immediately of any personnel changes to plan review or inspection staff.
- Notify the Department, in writing, at least 30 days prior to the date upon which the municipality intends to relinquish the responsibilities assumed under this section.

Please note that your submitted ordinance is titled, "AN ORDINANCE ADOPTING UNIFORM DWELLING CODE," and is heavily written around the Uniform Dwelling Code. Note that the Uniform Dwelling Code is specific to one- and two-family dwelling units (residential) and is not applicable to commercial construction. The Department recommends that your ordinance is revised to clearly delineate the requirements between commercial and residential construction.

The Department will periodically monitor municipalities and request activity reports to ensure that the delegated responsibilities are being properly fulfilled by the municipality. We do require that delegated municipal code officials hold the Wisconsin Commercial Building Inspector certification and attend agency-approved continuing education to maintain their certification.

In accordance with 2017 Wisconsin Act 198, the Department will be implementing a five-year electronic renewal process. Please continue to monitor department correspondence as further details regarding this process are communicated.

If your municipality decides to relinquish jurisdiction, please follow the provisions of Wis. Admin. Code § SPS 361.60(2)(b)4 by providing the Department with a 30-day notice prior to the day upon which your municipality intends to relinquish jurisdiction.

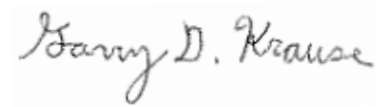
I understand that the primary enforcement contact for your municipality, Brett Guilette, has the proper certification to do so.

For your convenience, I am providing a link to the Department's Delegated Agent Welcome Packet. This packet contains links to the Wisconsin Administrative Code, plan review application, submission and inspection checklists, sample letters, petition for variance application, and a list of FAQs that may be helpful in your new delegated agent role. <https://dsps.wi.gov/Documents/Programs/CommercialBuildings/WelcomePacketDelMuni.pdf>

Our commercial building inspector for your area, Chad Rothmeier, at (608) 438-5255, is available to assist in any questions or concerns your municipality may have with implementing these commercial building services and may contact your primary code official to discuss transitional and coordination items.

The Division of Industry Services looks forward to working with you.

Sincerely,

A handwritten signature in dark ink that reads "Garry D. Krause". The signature is written in a cursive, slightly slanted style.

Garry D. Krause, Bureau Director, Technical Services Bureau

cc: Brett Guilette, Inspection Specialists